

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAREN GUTILLA,

Plaintiff,

v.

LIBERTY MUTUAL INSURANCE
COMPANY,

Defendant.

Case No. 1:21-cv-01830-DAD-EPG

ORDER RE: STIPULATION TO DISMISS
DEFENDANT LIBERTY MUTUAL
INSURANCE COMPANY AND AMEND
COMPLAINT

(ECF No. 18)

Before the Court is the parties' stipulation to dismiss Defendant Liberty Mutual Insurance Company without prejudice and allow Plaintiff Karen Gutilla ("Plaintiff") to file a First Amended Complaint naming Golden Eagle Insurance Company and Does 2-100, inclusive, as defendants. (ECF No. 18.)

Pursuant to the parties' stipulation, this case is dismissed without prejudice only as to Defendant Liberty Mutual Insurance Company. *See* Fed. R. Civ. P. 41(a)(1)(A); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Additionally, as the opposing party has provided written consent to amendment, Plaintiff may file a First Amended Complaint without leave of court. *See* Fed. R. Civ. P. 15(a)(2).

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is respectfully directed to terminate Defendant Liberty Mutual Insurance Company on the docket;¹ and
2. Plaintiff shall file the First Amended Complaint, a copy of which is attached as Exhibit A to the parties' stipulation (ECF No. 18), within fourteen (14) days of entry of this order.

IT IS SO ORDERED.

Dated: March 22, 2022

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE

¹ In light of the amended complaint, the Clerk of Court is not directed to close the case.